

PROCEEDINGS OF THE LAFAYETTE PUBLIC UTILITIES AUTHORITY OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF MARCH 2, 2004.

ATTENDANCE

COUNCIL: Rob Stevenson (Chair), Christopher J. Williams, Ph.D., Bruce Conque, Marc Mouton

ABSENT: Louis C. Benjamin, Jr.

COUNCIL STAFF: Norma Dugas (Clerk), Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: L. J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Terry Huval (Utilities Director), Becky Lalumia (Associate CAO/Finance & Management), Pat Ottinger (Legal Counsel)

COMMENCEMENT

(TAPE 1)(SIDE A)(000) AGENDA ITEM NO. 1: Call to order.

Chair Rob Stevenson called the Lafayette Public Utilities Authority Meeting of March 2, 2004, to order.

EXECUTIVE/PRESIDENT'S REPORT

(TAPE 1)(SIDE A)(011) AGENDA ITEM NO. 2: President's Report.

None.

(TAPE 1)(SIDE A)(016) AGENDA ITEM NO. 3: LUS Director's Report.

None.

RESOLUTIONS

AGENDA ITEM NO. 4 WAS DEFERRED UNTIL AFTER FINAL ADOPTION OF ITEM 6, O-010-2004LPUA (See below).

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(018) AGENDA ITEM NO. 5: O-009-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the adjustment of the manning tables and corresponding budgetary accounts within the Department of Utilities Power Production and Electric System Construction Divisions, motion to adopt by Conque, seconded by Mouton, and the vote was as follows:

YEAS: Conque, Mouton, Stevenson

NAYS: None

ABSENT: Williams, Benjamin

RECUSED: None

Motion was unanimously approved.

(TAPE 1)(SIDE A)(030) AGENDA ITEM NO. 6: O-010-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority rescinding Lafayette City Council Ordinance 0-6175 as amended by Lafayette Public Utilities Authority Ordinance 0-026-96 (LPUA), and all amendments thereto, in its entirety and rescinding the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 94 "Utilities", Article VI "Sewers and Sewage Disposal" in its entirety; replacing with new Lafayette Public Utilities Authority Ordinance No. 010-2004(LPUA) and new Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 94 "Utilities", Article VI "Sewers and Sewage Disposal" providing for the regulation of sewers and sewage disposal within the jurisdiction of the Lafayette City-Parish Consolidated Government; and repealing all ordinances in conflict herewith, motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Conque, Mouton, Stevenson

NAYS: None

ABSENT: Williams, Benjamin

RECUSED: None

Motion was unanimously approved.

Huval made the following presentation:

Introduction

- LUS operates four (4) wastewater (sewer) plants in Lafayette.
- The Environmental Protection Agency (EPA) and the Louisiana Department of Environmental Quality (DEQ) require sewer plants to receive specific permits.
- The permits include the regulation of various pollutants which can occur in the treated wastewater discharge from the sewer plants
- The permits issued to LUS require regulation of the wastewater discharge of LUS's commercial customers
- As part of this requirement, LUS has an Environmental Division which includes a Wastewater Pretreatment Section
- Failure of LUS to abide by its permit(s) including adequate enforcement of these environmental regulations, can subject LUS to environmental enforcement actions and fines
- The Sewer and Sewage Disposal Ordinance meets the requirements dictated by our permits to "operate an industrial pretreatment program"
- As part of the Pretreatment program, LUS must periodically update its Sewer and Sewage Disposal Ordinance to include new or revised limits and provisions. (This is dictated by State and Federal regulations)

Proposed Ordinance

- Includes all updates required by State and Federal regulations
 - The vast majority of the updates are administrative and legal in nature.
 - The volume of the individual changes made it more practical to replace the existing ordinance in its entirety
- The most significant changes to the ordinance involve new discharge limits for wastewater customers
 - These changes have no impact to LUS residential customers and no significant impact on LUS commercial customers
- LUS has been pro-active in letting its customers know about these changes
 - By regulation requirements, LUS provided public notice of the new limits in the official journal of the LCG (November 16, 2003)
- Going beyond the requirements of the regulations, LUS sent letters to each of its regulated commercial customers concerning the proposed changes
 - LUS received no objections, or comments whatsoever
- Going one step further, LUS researched the wastewater discharge history of its regulated commercial customers
 - LUS found one commercial customer whose discharge of a regulated element might have occasional difficulty meeting compliance.
 - LUS contacted that customer and has worked out a procedure to handle that customer's discharge, which should allow this customer to remain in compliance with this proposed ordinance.
 - This ordinance meets the requirement of the Federal Environmental Pretreatment regulations
 - The practical impact of this ordinance on LUS customers is minimal
 - LUS has worked with its regulated commercial customers in a customer-friendly manner to ease implementation of the proposed ordinance changes.
 - It is imperative that this ordinance is adopted in order for LUS to remain in compliance with the federal regulatory requirements.

Upon questioning by the Council, Huval stated this ordinance is applicable to the ongoing discussion with the Broussard firm. The entire pretreatment operations are dealing with those customers that might have a discharge that is toxic or can have an impact on the sewer plant. If the customer continues to violate the regulation, they could be disconnected from the system.

(TAPE 1)(SIDE A)(189) AGENDA ITEM NO. 4: R-005-2004(LPUA) A resolution of the Lafayette Public Utilities Authority informing the United States Environmental Protection Agency Region VI and the Louisiana Department of Environmental Quality that the Lafayette

Utilities System has taken the appropriate action concerning pretreatment program requirements contained in NPDES Wastewater permit numbers LA-0036382, LA-0036374, LA-036391, and LA-0042561, motion to adopt by Conque, seconded by Mouton, and the vote was as follows:

YEAS: Conque, Mouton, Stevenson

NAYS: None

ABSENT: Williams, Benjamin

RECUSED: None

Motion was unanimously approved.

Huval stated that this ordinance shows DEQ that LUS has followed all of the requirements. The Chair then requested a hard copy of Huval's presentation.

(TAPE 1)(SIDE A)(210) AGENDA ITEM NO. 7: O-011-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority amending the FY 03/04 Capital Budget of the Lafayette City-Parish Consolidated Government to amend the Five-Year Capital Outlay Program of the Department of Utilities so as to provide for New Combustion Turbine Generation, motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Conque, Mouton, Stevenson

NAYS: None

ABSENT: Williams, Benjamin

RECUSED: None

Motion was unanimously approved.

Huval informed the LPUA that this ordinance revised the CIP budget to recognize the more up-to-date costs of what the units are going to be, as well as the other capital needs and to adjust the CIP to affirm that. Bid packets will be released next week and bids will be received in 45 days after that.

(TAPE 1)(SIDE A)(245) AGENDA ITEM NO. 8: O-012-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority authorizing the Lafayette City-Parish President and the Lafayette Public Utilities Authority Chairman to enter into an intergovernmental agreement with the City of Carencro to assist in the transfer of Carencro's Wastewater Biosolids, motion to adopt as amended (amendment being *to change "1 time transfer" to "10 times transfer" throughout the ordinance and IGA*) by Conque, seconded by Mouton, and the vote was as follows:

YEAS: Williams, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Benjamin

RECUSED: None

Motion was unanimously approved.

Mouton explained that Carencro is constructing a sewer plant, which should be complete in a year and a half. LUS is being sufficiently reimbursed for the service. Although this agreement should not be open-ended, he requested the ordinance be amended to "10 times transfer". By that time, their system should be up and running. The Chair requested that the language be changed in the IGA also.

COMMENTS FROM THE PUBLIC

(TAPE 1)(SIDE A)(300) AGENDA ITEM NO. 9: Comments from the public on other matters.

None.

ADJOURN

(TAPE 1)(SIDE A)(301) There being no further business to come before the LPUA, Chair Stevenson declared the Regular LPUA meeting adjourned.

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL